

Notice of Allowability

Application No.

10/621,921

Examiner

Clark F. Dexter

Applicant(s)

BEHNE, ROCKNE W.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed on April 30, 2007.
2. ☒ The allowed claim(s) is/are 1,3,5-8,10 and 12-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Mehul Jani on August 6, 2007.

2. The application has been amended as follows:

In the Claims

Withdrawn claims 18-21 have been canceled.

Claim 1 has been rewritten as follows:

--1. (Currently Amended) A quick-pin blade tensioning device for a band saw including an upper band wheel mounted via an upper arm, the upper band wheel engaging a band saw blade, comprising:

a sliding tension bracket for engaging the upper band wheel and the upper arm of the band saw;

a lifting shoe having a bottom surface and coupled with the sliding tension bracket, the lifting shoe [[and]] configured and dimensioned to be received within the

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upper arm of the band saw and to slide the sliding tension bracket within the upper arm of the band saw;

a pin for contacting the bottom surface of the lifting shoe for ~~[[and]]~~ moving the lifting shoe within the upper arm of the band saw;

a rotatable tension crank having an axis of rotation, a first end and a second end, the first end coupled with the pin such that the pin rotates with the tension crank, at least a portion of the pin extending ~~extends~~ axially outwardly from the tension crank, the tension crank configured and dimensioned to be received within the upper arm of the band saw, wherein the pin is spaced from the axis of rotation, and wherein there is no structure adjacent the pin that is both mounted to the tension crank for movement therewith and capable of drivingly contacting the lifting shoe ~~the tension crank capable of rotating the pin~~;

a tension handle having a first position and a second position, the tension handle coupled with the second end of the tension crank, wherein the tension handle rotates the tension crank causing the pin to revolve ~~rotate~~ about the axis of rotation of the tension crank when the tension handle is moved, and

wherein the tension handle, when moved from the first position to the second position, causes ~~rotates~~ the pin to revolve to a position where the pin contacts and moves the lifting shoe for applying tension to the band saw blade.--.

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Claim 3 has been rewritten as follows:

--3. (Currently amended) The quick-pin blade tensioning device of claim 1, wherein the band saw further includes a second ~~standard~~ blade tensioning device.--.

Claim 8 has been rewritten as follows:

--8. (Currently Amended) A band saw including an upper band wheel engaging a band saw blade, comprising:

a quick-pin blade tensioning device coupled with the upper band wheel of the band saw, the quick-pin blade tensioning device comprising,

a sliding tension bracket engaging with an upper arm of the band saw and the upper band wheel;

a lifting shoe having a bottom surface and coupled with the sliding tension bracket, the lifting shoe ~~and configured and dimensioned to be received within the upper arm of the band saw~~ to slide the sliding tension bracket within the upper arm;

a pin for contacting the bottom surface of the lifting shoe and moving the lifting shoe within the upper arm of the band saw;

a rotatable tension crank having an axis of rotation, a first end and a second end, the first end coupled with the pin such that the pin rotates with the tension crank, at least a portion of the pin extending ~~extends~~ axially outwardly from the tension crank, the tension crank ~~configured and dimensioned to be received within the upper arm~~, wherein the pin is spaced from the axis of rotation, and wherein there is no structure adjacent

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the pin that is both mounted to the tension crank for movement therewith and capable of drivingly contacting the lifting shoe ~~the tension crank capable of rotating the pin;~~

a tension handle having a first position and a second position, the tension handle coupled with the second end of the tension crank, wherein the tension handle rotates the tension crank causing the pin to revolve ~~rotate~~ about the axis of rotation of the tension crank when the tension handle is moved, and

wherein the tension handle, when moved from the first position to the second position, causes ~~rotates~~ the pin to revolve to a position where the pin contacts and moves the lifting shoe applying tension to the band saw blade.--.

Claim 10 has been rewritten as follows:

--10. (Previously Presented) The band saw of claim 8, wherein the band saw further includes a second ~~standard~~ blade tensioning device.--.

In the Specification

Paragraph 0008, line 13, "to" has been changed to --from--;

line 14, "from" has been changed to --to--.

Paragraph 0010, line 1, "forgoing" has been changed to --foregoing--.

Paragraph 0014, line 2, "(not shown)" has been deleted.

Paragraph 0015, line 4, "be" has been changed to --with--.

Paragraph 0026, line 16, "is" has been changed to --it--.

Paragraph 0023, line 13, "second" has been changed to --first--.

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Paragraph 0029, line 2, "forgoing" has been changed to --foregoing--.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

The changes to claims 1 and 8 have been made to more clearly define the claimed invention with respect to 35 USC 112 and to more clearly distinguish the claimed invention over the prior art, particularly Snodgrass (PG Publication 2001/0054337 and pn 6,739,231). The changes made to claims 3 and 10, and to the specification have been made for further clarity.

For example, regarding claims 1 and 8, the members or "pins" on a gear, whether contacting each other (as in Snodgrass) or not, would be considered to be "adjacent." However, the pin and tension crank configuration of the disclosed embodiment of the present invention allows the lifting shoe, when moving toward the axis of rotation of the tension crank, to move past at least a portion of the tension crank (e.g., see Fig. 5 wherein the lifting shoe 206 has moved past substantially half the cylindrical tension crank 210 almost to the axis of rotation of the tension crank).

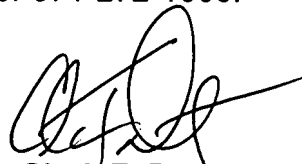
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark F. Dexter whose telephone number is (571)272-4505. The examiner can normally be reached on Mondays, Tuesdays, Thursdays and Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on (571)272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Clark F. Dexter
Primary Examiner
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cf
August 6, 2007